

III. Listing of Claims

In this listing of claims, newly added text is underscored and newly deleted text is ~~struck through~~. These amendments as shown relate to the listing of claims in the “Amendment and Response to 09/29/2005 Office Action” submitted on or about March 29, 2006, as the amendments in that document are believed by Applicant to be the last amendments entered in this matter.

Claim 1 (currently amended, second amendment) An electric deterrent device for attachment to a surface comprising:

a) an elongate base constructed of an extruded, flexible, non-conductive plastic material, said base having a cross-sectional configuration that includes a first side that will at least in part lie against the surface, and a second side, opposite said first side, said second side having at least two spaced apart areas that are separated by a non-conductive area; which are of a non-conductive material;

b) said base being attachable to either a flat or curved surface;

c) at least a pair of electricity conducting elements attached to said spaced apart non-conductive areas of said base, each said element comprising three or more strands interwoven to form a length-wise substantially curvilinear braided element rather than a mesh comprised of separate warp and weft strands in substantially perpendicular arrangement, wherein when said base is bent in convex or concave flex the compression or extension stress placed on said braided elements is at least partially ~~substantially~~ absorbed by individual strands expanding apart from, or contracting towards, other strands; one another; and

d) said braided elements being attachable respectively to the positive and negative terminals of a power source; and

e) said braided elements attached to said spaced apart areas on said base by sewing in which both of the braided elements are securely attached to said base, but allow a substantial number of the individual strands within each said braided element to move as the base is flexed.

Claim 2 (original): The invention of claim 1 wherein said strands of said elements are substantially round.

Claim 3 (original): The invention of claim 1 wherein said strands of said elements are substantially flat.

Claim 4 (deleted)

Claim 5 (original): The invention of claim 1 wherein said braided elements have a substantially flat cross sectional configuration.

Claim 6 (deleted)

Claim 7 (deleted)

Claim 8 (deleted)

Claim 9 (original): The invention of claim 1 wherein a plurality of said strands are stainless steel.

Claim 10 (original): The invention of claim 1 wherein a plurality of said strands are copper.

Claim 11 (original): The invention of claim 1 wherein a plurality of said strands are zinc coated copper.

Claim 12 (original): The invention of claim 1 wherein said base is constructed of cellular, rigid or flexible polyvinyl chloride.

Claim 13 (original): The invention of claim 1 wherein said base is constructed of any elastomeric material.

Claim 14 (original): The invention of claim 1 wherein each said braided element resides within an appropriately sized channel in said base.

Claim 15 (original): The invention of claim 1 in which said braided element comprises some strands of a conductive material and other strands of a non-conductive material.

Claim 16 (currently amended, second amendment): In an electrical animal, pest or bird deterrent device comprising a base that is attachable to the surface from which the animal, pest or bird is to be deterred, and at least a pair of electrically conductive elements attached to the base and attachable to a power source, the improvement comprising said conductive elements comprising at least three-plurality of individual strands woven together in a lengthwise braid-like fashion as opposed to a mesh consisting of separate warp and weft strands in which said warp and weft strands are in perpendicular arrangement to one another, wherein when said base is bent in any direction, the stress placed on said conductive elements is at least partially substantially absorbed by the width of said braid-like elements expanding or contracting as said individual strands moving relative to one another, and wherein said elements are attached to spaced apart pedestal areas on said base by sewing, said base substantially comprised of an extruded plastic material.

Claim 17 (deleted)

Claim 18 (original): The invention of claim 16 in which some of said individual strands are made of a conductive material and some are not.

Claim 19 (original): The invention of claim 16 in which said strands are made of metal.

Claim 20 (original): The invention of claim 19 in which said strands are constructed of stainless steel, copper, or zinc plated copper, or a combination thereof.

Claim 21 (original): The invention of claim 16 in which said base is constructed entirely of a non-conductive material.

Claim 22 (deleted):

Claim 23 (original): The invention of claim 16 in which said base is constructed entirely of a material selected from the group of neoprene, fluoroelastomer, silicone, natural rubber, buna n (nitrile), buna s (SBR), thermoplastic rubber, synthetic polyisoprene, EPDM and polyurethane.

Claim 24 (deleted):

Claim 25 (deleted):

Claim 26 (original): The invention of claim 16 in which said strands are woven tightly together.

Claim 27 (original): The invention of claim 16 in which said strands are woven loosely together.

Claim 28 (new): The invention of claim 1 in which one or more of said strands comprises a single wire.

Claim 29 (new): The invention of claim 1 in which one or more of said strands comprises multiple wires, and at least one of said wires in at least one of said strands is of an electrically conductive material.

Claim 30 (new): The invention of claim 16 in which one or more of said strands comprises a single wire.

Claim 31 (new): The invention of claim 16 in which one or more of said strands comprises multiple wires, and at least one of said wires in at least one of said strands is of an electrically conductive material.

Claim 32 (new): The invention of claim 1 in which said non-conductive area between said spaced apart areas comprises an extruded portion of said base.

Claim 33 (new): The invention of claim 32 in which said non-conductive area between said spaced apart areas includes a channel formed in said base.

Claim 34 (new): The invention of claim 16 in which said spaced apart pedestal areas are separated by an extruded portion of said base.

Claim 35 (new): The invention of claim 34 in which said non-conductive area between said spaced apart areas includes a channel formed in said base.

[end of claims]

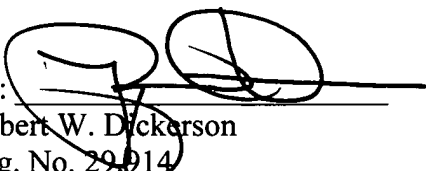
WHEREFORE, although Applicant believed and continues to believe that the previously pending claims are allowable over the prior art of record, Applicant respectfully asserts that the amendments to the claims above now clearly place all of the pending claims in a condition for allowance, and has made these amendments so as to move this application promptly to issuance.

Thus Applicant respectfully requests that this Proposed Amendment After Final be entered, and that a Notice of Allowance of this application and of all pending claims as stated herein be issued at this time.

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Respectfully submitted,

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